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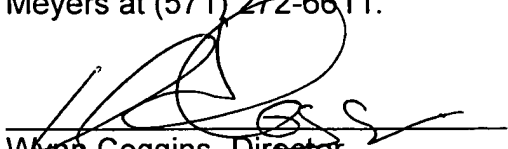
In re Application of	:	
Claudio R. Ballard	:	<i>SUA SPONTE</i>
Application No. 09/454,492	:	WITHDRAWAL OF
Filed: December 6, 1999	:	HOLDING OF
For: REMOTE IMAGE CAPTURE WITH	:	FINALITY OF OFFICE
CENTRALIZED PROCESSING AND	:	ACTION
STORAGE	:	

A review of the above application reveals that on January 4, 2009 a requirement for restriction was mailed. Despite there being no written reply to the above restriction, a Final rejection was mailed on July 15, 2009. Because this action was mailed after the 6 month period for response, the application was already abandoned at the time of mailing the action. For this reason, the action was subsequently vacated in a petition decision dated December 15, 2009. A Notice of abandonment followed on December 31, 2009. A petition was filed to withdraw the abandonment, or alternatively, to revive the application on March 5, 2010. The petition to revive was granted on August 5, 2010. The examiner subsequently sent out an Advisory action on October 29, 2010 that denied entry of an amendment previously filed on October 9, 2009.

In view of the Final rejection of July 15, 2009 being vacated in the petition decision of December 15, 2009, there is no action upon which to base the above noted Advisory action, so that Advisory action is likewise hereby **VACATED**. Given that the application has been revived and the Final rejection previously vacated, the amendment filed October 9, 2009 is entered as a matter of right as an amendment after a Non-final action.

Thus, the status of the application is currently that of having an amendment filed after a non-final action that is due an action on the merits. The case is being forwarded to the examiner of record for the completion of such an action on the merits.

Inquiries related to this decision may be directed to Quality Assurance Specialist Steven N. Meyers at (571) 272-6611.


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Sm/sm: 11/09/10

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